

Appendix D

4. ELEMENTS OF THE BANKRUPTCY CASE FILE

Interpreting this Chart—Assumptions and Conventions

ADVERSARY PROCEEDINGS--The "Proceeding" column has been left blank in the adversary proceeding sections of this chart because, by definition, all of those documents are part of such proceedings.

ATTACHMENTS -- Many motions and other documents are filed with attachments. Attached items may include any of the following: proposed orders, briefs or memoranda of law or of points and authorities, signed affidavits, signed declarations, or other signed documents (*e.g.*, deeds, mortgages, financing statements, leases, contracts).

CREATOR -- Generally, the creator of a document also will be its signer. A document created by one entity, however, may be signed by another. For example, a party may draft ("create") a proposed order that later is signed by a judge.

INVOLUNTARY CASE -- If an involuntary petition is contested, adversary procedures will apply.

NOTICES -- A printed copy of a notice is required if service of the notice is to be made by mail or by hand-delivery.

PARTY -- The term "Party" includes the debtor, creditors, any trustee, the United States trustee or bankruptcy administrator, and any "party in interest" who files a document in the case (*e.g.*, a tenant or licensee), but not the clerk or the judge.

PROPOSED ORDERS -- See discussion of "Attachments," above.

SIGNATURES -- Every document generated and filed by an attorney or pro se party is presumed to be governed by Fed. R. Bankr. P. 9011. Accordingly, except for those documents especially exempted by Rule 9011 (a list, schedule, statement, or amendment to any of these), we have assumed signature by the attorney. Likewise, we have assumed that the bankruptcy judge signs every order. We likewise have assumed that any electronic case files system will include mechanisms for electronic "signing" by judges of the court and attorneys practicing there. Under these assumptions, therefore, we have noted signature requirements only when another individual -- such as the debtor, a creditor, a non-attorney professional, a process server, or a judge from another court -- must sign. We also have noted when a signature must be verified.

Elements of the Bankruptcy Case File

Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Case Opening Documents						
Petition (Voluntary, Involuntary, Ancillary)	Bankr. Case	11 U.S.C. §§ 301, 303, 304; BR 1008	Party	Court	Yes--Commercial Software	Party Signature (under Penalty of Perjury) and Attorney or Petition Preparer Signature
Filing Fee Paid	Bankr. Case	28 U.S.C. § 1930(a)	Clerk	Court	Yes--BANCAP, NIBS	Link to Financial and Receipting Processes
Application To Pay in Installments	Bankr. Case	BR 1006(b)	Party	Court	Yes--Commercial Software	Party Signature (under Penalty of Perjury) and Attorney or Petition Preparer Signature
Mailing Matrix, List of Creditors	Bankr. Case	BR 1007(a), 1008; 11 U.S.C. § 110(b)	Party	Court	Yes--Commercial Software, Court Software	Party Signature (under Penalty of Perjury) and Petition Preparer Signature (if prepares paper)
Case Opening Summary, Docket	Bankr. Case	BR 5003	Clerk	Court	Yes--BANCAP, NIBS	Link to Statistics Division
Summons in Involuntary	Involuntary Case	BR 1010	Clerk or Party	Party	No	Need Printed Copy for Service
List of 20 Largest Creditors	Ch. 9, 11	BR 1007(d), 1008	Party	Court	Yes--Commercial Software	Party Signature (under Penalty of Perjury)
In Forma Pauperis Application	Ch. 7	Pub. L. 103-121, § 111(d)	Party	Court	No	Party Signature (under Penalty of Perjury)

Elements of the Bankruptcy Case File

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Other Preliminary Documents						
List of Equity Security Holders	Ch. 11	BR 1007(e), 1008	Party	Court	Yes--Commercial Software	Party Signature (under Penalty of Perjury)
Schedules of Assets and Liabilities	Bankr. Case (ex. Ch. 9)	BR 1007(b), 1008	Party	Court	Yes--Commercial Software	Party Signature (under Penalty of Perjury)
Statement of Financial Affairs	Bankr. Case (ex. Ch. 9)	BR 1007(b), 1008	Party	Court	Yes--Commercial Software	Party Signature (under Penalty of Perjury)
Statement of Intention	Ch. 7	11 U.S.C. § 521(2); BR 1007(b)(2)	Party	Court	Yes--Commercial Software	Party and Attorney (or Petition Preparer) Signatures
Attorney (or Petition Preparer) Disclosure of Compensation	Bankr. Case	11 U.S.C. §§ 110(b)(1), 329(a)	Attorney (or Petition Preparer)	Court	Yes--Commercial Software	Attorney (or Petition Preparer) Signature
Small Business Election	Ch. 11	11 U.S.C. § 1121(e)	Party	Court	Yes--Word Processing	
Non-Dispositive Motions and Applications*						
Motion to Extend or Reduce Time	Bankr. Case or Proceeding	BR 9006(b), (c)	Party	Court	Yes--Word Processing	
Discovery Motions	Bankr. Case or Proceeding	BR 2004, 2005, 7026 -7037, 9016	Party	Court	Yes--Word Processing	
Motion for Use of Cash Collateral	Ch. 11, 12, 13	11 U.S.C. § 363(a); BR 4001(b)	Party	Court	Yes--Word processing	
Motion for Adequate Protection	Ch. 11, 12, 13	11 U.S.C. § 363(a); BR 4001(a)	Party	Court	Yes-- Word Processing	

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Motion to Obtain Credit	Ch. 11, 12	11 U.S.C. § 364; BR 4001(c)	Party	Court	Yes--Word Processing	
Motion to Assume Lease or Executory Contract	Ch. 11, 12, 13	11 U.S.C. § 365; BR 6006	Party	Court	Yes--Word Processing	
Motion to Convert Case	Bankr. Case	11 U.S.C. §§ 706, 1112, 1208, 1307	Party	Court	Yes--Word Processing	
Motion for Relief from Judgment or Order	Bankr. Case or Proceeding	BR 9024	Party	Court	Yes--Word Processing	
Application to Employ Professional	Bankr. Case	11 U.S.C. §§ 327, 1103, 1107; BR 2014	Party	Court	Yes--Word Processing	Professional Signs Verified Statement; Party Signature May Be Required
Application for Compensation of Professional	Bankr. Case	11 U.S.C. §§ 326, 328, 330, 331; BR 2016	Professional	Court	Yes--Word Processing	Party Signature May Be Required
Request for Payment of Administrative Expense	Bankr. Case	11 U.S.C. § 503(a)	Party	Court	Maybe--Word Processing	
*See <u>Assumptions and Conventions</u> for description of Attachments						
Motion or Application for Examination of Entity	Bankr. Case	BR 2004	Party	Court	Yes--Word Processing	
Section 110 Motion	Bankr. Case	11 U.S.C. § 110	Party	Court	Yes--Word Processing	
Motion to Appoint Chapter 11 Trustee	Ch. 11	11 U.S.C. § 1104(a)	Party	Court	Yes--Word Processing	
Motion for Leave to Appeal	Bankr. Case or Proceeding	28 U.S.C. § 158(a)(3); BR 8003	Party	Court	Yes--Word Processing	

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Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Request for Notice	Bankr. Case or Proceeding	BR 2002	Party	Court	Yes--Word Processing	No Order Required
Other Non-Dispositive Motions	Bankr. Case	BR 9013, 9014	Party	Court	Yes--Word Processing	
Dispositive Motions*						
Motion to Dismiss	Bankr. Case	11 U.S.C. §§ 707, 930, 1112, 1208, 1307; BR 1017	Party	Court	Yes--Word Processing	
Motion to Abstain	Bankr. Case	11 U.S.C. § 305; BR 5011	Party	Court	Yes--Word Processing	
Motion to Reopen	Bankr. Case	11 U.S.C. § 350(b); BR 5010	Party	Court	Yes--Word Processing	
Motion for Withdrawal of Reference	Bankr. Case or Proceeding	28 U.S.C. § 157(d); BR 5011	Party	Court	Yes--Word Processing	Heard by District Court Judge
Motion to Compel Abandonment	Bankr. Case	11 U.S.C. § 554; BR 6007	Party	Court	Yes--Word Processing	
Motion for Relief from Stay	Bankr. Case	11 U.S.C. § 362(d); BR 4001(a)	Party	Court	Yes--Word Processing	
Motion to Avoid Lien	Bankr. Case or Proceeding	11 U.S.C. §§ 522(f), 544-45	Party	Court	Yes--Word Processing	
Motion for Valuation	Bankr. Case or Proceeding	11 U.S.C. § 506	Party	Court	Yes--Word Processing	

Elements of the Bankruptcy Case File

Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Motion to Reject Lease or Executory Contract	Bankr. Case	11 U.S.C. § 365	Party	Court	Yes--Word Processing	
Motion to Assume and Assign Lease or Executory Contract	Bankr. Case	11 U.S.C. § 365; BR 6006	Party	Court	Yes--Word Processing	
Motion to Approve Compromise or Settlement	Bankr. Case or Proceeding	BR 9019(a)	Party	Court	Yes--Word Processing	
*See <u>Assumptions and Conventions</u> for description of Attachments						
Motion for Change of Venue	Bankr. Case or Proceeding	28 U.S.C. § 1412	Party	Court	Yes--Word Processing	
Other Dispositive Motions	Bankr. Case or Proceeding		Party	Court	Yes--Word Processing	
Notices and Certificates of Service						
Meeting of Creditors Notice	Bankr. Case	11 U.S.C. § 341; BR 2002(a)(1)	Clerk or Party	Parties	Yes--BANCAP, NIBS, Word Processing	
Hearing Notice	Bankr. Case or Proceeding	BR 2002, 4001, 9014	Clerk or Party	Parties	Yes--BANCAP, NIBS, Word Processing	
Notice of Deadline to File Objection	Bankr. Case or Proceeding		Clerk or Party	Parties	Yes--BANCAP, NIBS, Word Processing	
Notice of Intent (Order to Show Cause)	Bankr. Case or Proceeding		Court or Party	Parties	Yes--Word Processing	

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Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Notice of Hearing on Approval of Disclosure Statement	Ch. 9, 11	11 U.S.C. §§ 1125(b), 901; BR 2002(b)(1);	Clerk or Party	Parties	Yes--BANCAP, NIBS, Word Processing	
Notice of Confirmation Hearing	Bankr. Case (ex. Ch. 7)	11 U.S.C. §§ 901, 1128(a), 1224, 1324; BR 2002(b)(2)	Clerk or Party	Parties	Yes--BANCAP, NIBS, Word Processing	
Certificate of Service	Bankr. Case or Proceeding	BR 7005; CvR 5	Clerk, BNC, or Party	Court, Parties	Yes--BANCAP, NIBS, Word Processing	Signature of Certifier
Notice of Proposed Compromise or Settlement	Bankr. Case or Proceeding	BR 9019(a)	Party	Parties	Yes--Word Processing	
Notice of Conversion or Dismissal of Case	Bankr. Case	BR 2002(f)(2)	Clerk or Party	Parties	Yes--BANCAP, NIBS, Word Processing	
Notice of Entry of Judgment	Bankr. Case or Proceeding	BR 9022	Clerk or Party	Parties	Yes--Word Processing	
Return of Service on Summons in Involuntary	Involuntary Case	BR 1010, 7004	Process Server	Court	No	Process Server Signature
Election to Have Appeal Heard by District Court	Bankr. Case or Proceeding	28 U.S.C. § 158(c)	Party	Court	Yes--Word Processing	
Debtor Change of Address	Bankr. Case or Proceeding		Party	Court	Yes--Word Processing	
Other Notices	Bankr. Case or Proceeding	BR 9014	Clerk or Party	Parties	Yes--Word Processing	

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Dispositive Notices						
Notice of Proposed Use, Sale or Lease of Estate Property	Bankr. Case	11 U.S.C. § 363(b)(2); BR 2002(a)(2), 6004(a)	Clerk or Party	Parties	Yes--BANCAP, NIBS, Word Processing	
Notice of Proposed Abandonment	Bankr. Case	BR 6007(a)	Party	Parties	Yes--Word Processing	
Notice of Trustee/Debtor Claim	Bankr. Case	BR 3004	Clerk	Parties	Yes--BANCAP, NIBS	
Notice of Transfer of Claim	Bankr. Case	BR 3001(e)(2), (3), (4)	Clerk	Parties	Yes--BANCAP, NIBS	
Notice of Conversion (by Debtor)	Ch. 12, 13	11 U.S.C. §§ 1208(a), 1307(b); BR 1017(d)	Party	Court	Yes--Word Processing	
Notice of Appeal	Bankr. Case or Proceeding	28 U.S.C. § 158; BR 8001(a)	Party	Court	Yes--Word Processing	
Objections						
Objection to Approval of Disclosure Statement	Ch. 9, 11	11 U.S.C. §§ 901, 1125; BR 3017	Party	Court	Yes--Word Processing	
Objection to Confirmation of Plan	Bankr. Case (ex. Ch. 7)	11 U.S.C. §§ 943, 1129, 1225, 1325; BR 3015, 3020(b)(1)	Party	Court	Yes--Word Processing	

Elements of the Bankruptcy Case File

Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Objection to Proposed Use, Sale, or Lease of Estate Property	Bankr. Case	11 U.S.C. § 363; BR 6004(b), 9014	Party	Court	Yes--Word Processing	
Objection to Proposed Abandonment	Bankr. Case	11 U.S.C. § 554; BR 6007(a)	Party	Court	Yes--Word Processing	
Objection to Application for Compensation	Bankr. Case	11 U.S.C. § 330	Party	Court	Yes--Word Processing	
Objection to Contempt Order	Bankr. Case or Proceeding	BR 9020(c)	Party	Court	Yes--Word Processing	
Other Objections	Bankr. Case or Proceeding		Party	Court	Yes--Word Processing	
Reports						
Report of Appointment or Election of Trustee	Bankr. Case	11 U.S.C. §§ 702, 1104, 1202, 1302; BR 2007.1, 2009	Party	Court	Yes--Word Processing	
Trustee Bond	Bankr. Case	11 U.S.C. § 322	Party	Court	No	Signature of Surety Company Representative
Acceptance or Rejection of Appointment as Trustee	Bankr. Case	BR 2008	Party	Court	Yes--Word Processing	
Report of Appointment of Creditors' Committee	Ch. 7, 9, 11	11 U.S.C. §§ 705, 901, 1102	Party	Court	Yes--Word Processing	
Report of Meeting of Creditors	Bankr. Case	11 U.S.C. § 341; BR 2003(d)	Party	Court	Yes--Word Processing	

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Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Inventory	Ch. 7, 11, 12, Business Ch.13	BR 2015	Party	Court	Yes--Word Processing	
Report of Newly Discovered Assets	Ch. 7	BR 3002(c)(5)	Party	Court	Yes--Word Processing	
Report of Sale	Bankr. Case	11 U.S.C. § 363; BR 6004(f)	Party or Professional	Court	Yes--Word Processing	Signature of Professional
Report of Multiple Representation	Ch. 9, 11	BR 2019	Professional	Court	Yes--Word Processing	Signature of Professional (under Penalty of Perjury)
Report of Balloting to Accept or Reject Plan	Ch. 9, 11	11 U.S.C. §§ 901, 1126	Party	Court	Yes--Word Processing	
Trustee Report on Confirmation	Ch. 12, 13	11 U.S.C. §§ 1202(b)(3)(B) 1302(b)(2)(B)	Party	Court	Yes--Word Processing	
Trustee Report on Claims	Ch. 12, 13	11 U.S.C. §§ 1202, 1302	Party	Court	Yes--Word Processing	
Periodic Reports by DIP or Trustee	Ch. 7, 11, 12, Business Ch.13	BR 2015	Party	Court	Yes--Word Processing (May Be on Spreadsheet)	
Report by Examiner	Ch. 11	11 U.S.C. § 1106(b)	Party	Court	Yes--Word Processing	
Report by Mediator or ADR Facilitator	Bankr. Case or Proceeding	BR 9019(c)	Mediator or Facilitator	Court	Yes--Word Processing	May Be Confidential
BA Recommendation on Appointment of Trustee	Ch. 7, 11	11 U.S.C. §§ 701, 703, 1104	Party	Court	Yes--Word Processing	BA District Only

Elements of the Bankruptcy Case File

Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
BA Recommendation on Appointment of Creditors' Committee	Ch. 11	11 U.S.C. §§ 901, 1102	Party	Court	Yes-- Word Processing	BA District Only
Trustee Final Report (or No Distribution Report)	Bankr. Case (ex. Ch. 9)	11 U.S.C. §§ 704(9), 1106(a)(1), 1107(a), 1202(b)(1), 1302(b)(1)	Party	Court	Yes-- Word Processing	Trustee Signature (under Penalty of Perjury); Submitted through U.S. Trustee
Trustee Final Account	Bankr. Case (ex. Ch. 9)	11 U.S.C. §§ 704(9), 1106(a)(1), 1107(a), 1202(b)(1), 1302(b)(1)	Party	Court	Yes-- Word Processing (except some Attachments May Be in Spreadsheet Programs)	Trustee Signature (under Penalty of Perjury); Submitted through U.S. Trustee
Report of Unclaimed Funds	Ch. 7, 12, 13	11 U.S.C. § 347; BR 3010, 3011	Party	Court	Yes-- Word Processing	
Reorganization Documents						
Disclosure Statement	Ch. 9, 11	11 U.S.C. §§ 901, 1125; BR 3016, 3017	Party	Court	Yes-- Word Processing	
Reorganization Plan	Bankr. Case (except Ch. 7)	11 U.S.C. §§ 941, 1121, 1221, 1321; BR 3015, 3016	Party	Court	Yes-- Word Processing	

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Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Acceptance or Rejection of Plan	Ch. 12, 13	11 U.S.C. §§ 1225(a)(5), 1325(a)(5)	Party	Court	Yes-- Word Processing	
Acceptance or Rejection of Plan (Ballot)	Ch. 9, 11	11 U.S.C. §§ 901, 1126(a)	Party	Court or Plan Proponent	No (Paper Ballot)	Signature of Creditor (or Equity Security Holder) or Authorized Representative; Often Not Filed with Court (or Only as Attachment)
Section 1111(b) Election	Ch. 9, 11	11 U.S.C. §§ 901, 1111(b); BR 3014	Party	Court	Yes-- Word Processing	May Be Signed by Party
Claims and Claims Register						
Proof of Claim or Interest	Bankr. Case	11 U.S.C. § 501; BR 3001 - 3005	Party	Court	?	Signature of Creditor (or Equity Security Holder) or Authorized Representative; May Be Multiple Attachments
Claims Register	Bankr. Case	BR 5003(b)	Clerk	Court	Yes--NIBS, BANCAP	
Objection to Claim	Bankr. Case	11 U.S.C. § 502(a); BR 3007	Party	Court	Yes-- Word Processing	
Withdrawal of Claim	Bankr. Case	BR 3006	Party	Court	Yes-- Word Processing	
Transfer of Claim	Bankr. Case	BR 3001(e)	Party	Court	?	Same as Proof of Claim or Interest

Elements of the Bankruptcy Case File

Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Non-Dispositive Orders						
Final Decree (Order Closing Case)	Bankr. Case	11 U.S.C. § 350(a); BR 3022	Court	Court	Yes--BANCAP, NIBS, Word Processing	Docket Entry only in Some Courts
Order Approving Appointment of Trustee or Examiner	Ch. 11	11 U.S.C. § 1104(d); BR 2007.1(b)	Court or Party	Court	Yes--BANCAP, NIBS, Word Processing	
Order Approving Employment of a Professional Person	Bankr. Case	11 U.S.C. §§ 327, 1103, 1114; BR 2014	Court or Party	Court	Yes--Word Processing	
Order Appointing Creditors' Committee	Ch. 9, 11	11 U.S.C. §§ 901, 1102	Court or Party	Court	Yes--BANCAP, NIBS, Word Processing	BA Districts Only
Orders Concerning Creditors' Committees	Ch. 9, 11	11 U.S.C. §§ 901, 1102; BR 2007	Court or Party	Court	Yes--Word Processing	
Order for Chapter 11 Status Conference	Ch. 11	11 U.S.C. § 105(d)	Court or Party	Court, Parties	Yes--Word Processing	
Order Appointing Trustee or Examiner	Ch. 7, 11, 12, 13	11 U.S.C. §§ 701, 703, 1104, 1202, 1302	Court or Party	Court	Yes--BANCAP, NIBS, Word Processing	May Be Docket Entry Only; BA Districts Only
Order Approving Disclosure Statement	Ch. 9, 11	11 U.S.C. §§ 901, 1125(b), (f); BR 3017	Court or Party	Court	Yes--BANCAP, NIBS, Word Processing	
Order Requiring Examination of the Debtor	Bankr. Case	BR 2004, 2005	Court or Party	Court, Party	Yes--BANCAP, NIBS, Word Processing	
Order on Transfer of Claim	Bankr. Case	BR 3001(e)	Court or Party	Court	Yes--BANCAP, NIBS, Word Processing	

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Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Scheduling or Pretrial Conference Orders	Bankr. Case or Proceeding	BR 7016; CvR 16	Court or Party	Parties	Yes--BANCAP, NIBS, Word Processing	
Discovery Orders	Bankr. Case or Proceeding	BR 7026 - 7037, 9014; CvR 26 - 37	Court or Party	Court	Yes--BANCAP, NIBS, Word Processing	
Order to Show Cause (or Notice of Intent)	Bankr. Case or Proceeding		Court or Party	Court, Party	Yes--BANCAP, NIBS, Word Processing	
Order on Extension or Reduction of Time	Bankr. Case	BR 9006(b), (c)	Court or Party	Court	Yes--BANCAP, NIBS, Word Processing	
Order on Motion for Leave to Appeal	Bankr. Case or Proceeding	28 U.S.C. § 158(a)(3); BR 8003	Court or Party	Court	Yes-- Word Processing	Signature of BAP Judge or District Court Judge
Standing Orders	Bankr. Case or Proceeding	BR 9029(b)	Court	Court	Yes--Word Processing	
Other Non-Dispositive Orders	Bankr. Case or Proceeding	28 U.S.C. § 157(b); 11 U.S.C. § 105	Court or Party	Court	Yes--Word Processing	
Dispositive Orders and Judgments						
Order on Confirmation of Plan	Bankr. Case (ex. Ch. 7)	11 U.S.C. §§ 901, 1128, 1225, 1325; BR 2002(f)(7), 3020(c)	Court or Party	Court, Parties	Yes--BANCAP, NIBS, Word Processing	

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Discharge Order	Bankr. Case (ex. Ch. 9)	11 U.S.C. §§ 727, 1141(d), 1228, 1328; BR 4004(e)	Court	Court, Parties	Yes--BANCAP, NIBS, Word Processing	
Order on Avoidance of Lien	Bankr. Case or Proceeding	11 U.S.C. §§ 522(f), 544-45	Court or Party	Court	Yes--Word Processing	
Order on Valuation	Bankr. Case or Proceeding	11 U.S.C. § 506	Court or Party	Court	Yes--Word Processing	
Order on Motion to Reopen Case	Bankr. Case	11 U.S.C. § 350(b); BR 5010	Court or Party	Court	Yes--BANCAP, NIBS, Word Processing	
Order on Motion to Abstain	Bankr. Case	11 U.S.C. § 305	Court or Party	Court	Yes--BANCAP, NIBS, Word Processing	
Order on Motion to Dismiss Case	Bankr. Case	11 U.S.C. §§ 707, 930, 1112, 1208, 1307	Court or Party	Court, Parties	Yes--BANCAP, NIBS, Word Processing	
Judgment	Bankr. Case or Proceeding	11 U.S.C. § 105; BR 9021, CvR 58	Court or Party	Court	Yes--BANCAP, NIBS, Word Processing	Archive retention requirements
Order on Motion to Approve Use, Sale, or Lease of Estate Property	Bankr. Case	11 U.S.C. § 363; BR 6004	Court or Party	Court	Yes--BANCAP, NIBS, Word Processing	
Order on Abandonment	Bankr. Case	11 U.S.C. § 554; BR 6007	Court or Party	Court	Yes--BANCAP, NIBS, Word Processing	

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Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Order on Proposed Compromise or Settlement	Bankr. Case or Proceeding	BR 9019(a)	Court or Party	Court	Yes--Word Processing	
Order on Application for Compensation	Bankr. Case	11 U.S.C. §§ 328, 330; BR 2016	Court or Party	Court	Yes--BANCAP, NIBS, Word Processing	
Order of Contempt	Bankr. Case or Proceeding	BR 9020	Court or Party	Court	Yes--Word Processing	
Order on Appeal	Bankr. Case or Proceeding	28 U.S.C. § 158; BR 8016	Circuit, District, or BAP Judge	Court	Yes--Word Processing	Signature of Circuit, District Court, or BAP Judge
Order on Withdrawal of Reference	Bankr. Case or Proceeding	28 U.S.C. § 157(d)	District Court Judge	Court	Yes--Word Processing	Signature of District Court Judge
Miscellaneous Filed Documents						
Subpoena	Bankr. Case or Proceeding	BR 2004, 9016, CvR 45	Clerk or Party	Witness	No	
Proof of Service on Subpoena	Bankr. Case or Proceeding	BR 2004, 9016, CvR 45	Process Server	Court	No	Process Server Signature
Findings of Fact and Conclusions of Law	Bankr. Case or Proceeding	BR 7052, 9014	Judge	Court	Yes--Word Processing	
Opinion (Memorandum of Decision)	Bankr. Case or Proceeding		Judge	Court	Yes--Word Processing	May be Combined with Findings and Conclusions

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Proceeding Memo (Minutes of Proceedings)	Bankr. Case or Proceeding		Clerk (or Judge)	Court	No--Unless Prepared in Word Processing, BANCAP, or NIBS	Not Prepared and Filed in Some Courts
Reaffirmation Agreement	Ch. 7	11 U.S.C. § 524(c)	Party	Court	Yes--Word Processing	Debtor Signature and Creditor Signature; Attachment Likely
Entry of Appearance	Bankr. Case	BR 9010(b)	Professional	Court	Yes--Word Processing	
Power of Attorney	Bankr. Case	BR 9010(a), (c), 9012	Party	Court	Yes--Word Processing	Party Signature (Acknowledged)
Correction or Amendment	Bankr. Case or Proceeding	11 U.S.C. §§ 1127, 1223, 1229, 1323, 1329; BR 1009, 2016(b), 7015	Party or Professional	Court	Yes--Word Processing	Party Signature (under Penalty of Perjury) May Be Required
Response to Application, Motion, Notice, etc.	Bankr. Case or Proceeding	11 U.S.C. §§ 102(1); BR 9014	Party	Court	Yes--Word Processing	
Brief (Memorandum of Points and Authorities)	Bankr. Case or Proceeding	BR 9014; Local Rules	Party	Court	Yes--Word Processing	
Certificate of Service (Certificate of Mailing)	Bankr. Case or Proceeding	BR 2002, 4001, 6004, 7004, 9013, 9014	Clerk or Party	Court	Yes--Word Processing, NIBS, BANCAP	
Proposed Findings of Fact and Conclusions of Law (Report and Recommendations)	Bankr. Case or Proceeding	28 U.S.C. § 157(c); BR 9033	Bankruptcy Judge	District Court	Yes--Word Processing	

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Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Proposed Findings of Fact and Conclusions of Law	Bankr. Case or Proceeding		Party	Judge	Yes--Word Processing	May Not Be Entered on Docket
Proposed Orders	Bankr. Case or Proceeding		Party	Judge	Yes--Word Processing	May Not Be Entered on Docket
Request to Receive Notices	Bankr. Case or Proceeding	BR 2002(g), (m), 9007	Party or Other Entity	Court	?	
Bill of Costs	Bankr. Case or Proceeding	BR 7054, 9014	Clerk or Party	Court	Yes--Word Processing	
Discovery Materials	Bankr. Case or Proceeding	BR 9014, 7026 - 7037	Party	Court	?	Often Not Filed
Exhibits	Bankr. Case or Proceeding	BR 7026 - 7037; 9014	Party	Court	Yes--Word Processing	May be Retained by Party; Filed Only if Admitted into Evidence; May Not Be Submitted
Transcripts	Bankr. Case or Proceeding	28 U.S.C. § 753(b)	Court Reporter (or Transcriber)	Court	Yes--Word Processing	Filed Only if Ordered by Party or Judge
Registration of Foreign Judgment	Bankr. Case		Party	Court	No	Archive Requirements
Certification of Judgment for Registration in Another District	Bankr. Case or Proceeding	28 U.S.C. § 1963; BR 5003(c), 5006	Clerk	Court and Party	?	Paper Copy Needed to File in Other District
Exemplification	Bankr. Case or Proceeding		Clerk and Judge	Court and Party		Three signatures

Elements of the Bankruptcy Case File

Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Apostille	Bankr. Case or Proceeding		District Clerk	Court and Party		
“Linked” Items						
Court Reporter’s Notes	Bankr. Case or Proceeding	28 U.S.C. § 753(b); BR 5007(a)	Court Reporter	Court	No--Unless Prepared in Word Processing	Not Part of Case File; Must Be Kept by Court for 10 Years
ECRO Tapes	Bankr. Case or Proceeding	28 U.S.C. § 753(b); BR 5007(a)	ECRO	Court	Audio Tapes	Not Part of Case File; Must Be Kept by Court for 10 Years
Judge’s Bench Notes	Bankr. Case or Proceeding		Judge	Judge	No--Unless Prepared in Word Processing	Not Part of Case File; May Be Held in Chambers or in Case File; Not Public
Law Clerk Memoranda	Bankr. Case or Proceeding		Law Clerk	Judge	Yes--If Prepared in Word Processing	Not Part of Case File; May Be Held in Chambers or in Case File; Not Public
Correspondence	Bankr. Case or Proceeding		Party	Court	No	Not Part of Case File But May be Stored There
Adversary Proceeding -- Case Opening Documents						
Adversary Proceeding Cover Sheet		28 U.S.C. § 604(a)(1), (2), (3); Form B 104	Party	Court	No	
Filing Fee Paid		28 U.S.C. § 1930(b); Fee Schedule	Clerk	Court	Yes--BANCAP, NIBS	Link to Financial and Receipting Processes

Elements of the Bankruptcy Case File

Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Complaint		BR 7003	Party	Court	Yes--Word Processing	
Summons		BR 7004, CvR 4(a)	Clerk or Party	Party	No	Need Printed Copy for Service
Return of Service		BR 7004, CvR 4(g)	Process Server	Court	No	Process Server Signature
Notice of Removal		BR 9027	Party	Court	Yes--Word Processing	
Order Transferring Proceeding from Another Federal Court		28 U.S.C. § 1412	Other Court	Court	?	Signature of Other Judge
Affidavit of Poverty		28 U.S.C. § 1915	Party	Court	?	Affiant's Signature
Consent to Bankr. Judge Entering Final Judgment		28 U.S.C. § 157(c)(2)	Party	Court	Yes--Word Processing	
Consent to Bankr. Judge Conducting Jury Trial		28 U.S.C. § 157(e)	Party	Court	Yes--Word Processing	
Adversary Proceedings -- Initial Pleadings that Frame Dispute						
Answer		BR 7007, CvR 7(a)	Party	Court	Yes--Word Processing	
Counterclaim		BR 7013, CvR 13	Party	Court	Yes--Word Processing	
Cross-claim		BR 7013, CvR 13(g)	Party	Court	Yes--Word Processing	
Third Party Complaint		BR 7014, CvR 14	Party	Court	Yes--Word Processing	
Third Party Summons		BR 7014, CvR 14	Clerk or Party	Party	No	Need Printed Copy for Service

Elements of the Bankruptcy Case File

Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Return of Service on Third Party Summons		BR 7014, CvR 14	Process Server	Court	No	Process Server Signature
Third Party Answer		BR 7014, CvR 14	Party	Court	Yes--Word Processing	
Motion to Intervene		BR 7024, CvR 24	Party	Court	Yes--Word Processing	Complaint or Answer May Be Attached
Motions Concerning Joinder of Parties		BR 7019 - 7022, CvR 19 - 22	Party	Court	Yes--Word Processing	
Joined Party's Complaint or Answer		BR 7019 - 7022, CvR 19 - 22	Party	Court	Yes--Word Processing	
Amended Complaint		BR 7015, CvR 15	Party	Court	Yes--Word Processing	
Amended Answer		BR 7015, CvR 15	Party	Court	Yes--Word Processing	
Adversary Proceedings -- Non-Dispositive Motions*						
Motion to Appear Pro Hac Vice		Local Rules	Party	Court	Yes--Word Processing	
Motion to Certify or Decertify a Class		BR 7023, CvR 23	Party	Court	Yes--Word Processing	
Discovery Motions		BR 7026-7037	Party	Court	Yes--Word Processing	
Responses to Non-Dispositive Motions			Party	Court	Yes--Word Processing	

Elements of the Bankruptcy Case File

Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
*See <u>Assumptions and Conventions</u> for description of Attachments						
Adversary Proceedings -- Dispositive Motions*						
Motion for Voluntary Dismissal by Plaintiff After Responsive Pleading		BR 7041, CvR 41(a)	Party	Court	Yes--Word Processing	
Motion to Approve Compromise or Settlement		BR 9019(a)	Party	Court	Yes--Word Processing	
Motion for Summary Judgment		BR 7056, CvR 56	Party	Court	Yes--Word Processing	
Rule 12(b) Motion to Dismiss		BR 7012, CvR 12(b)	Party	Court	Yes--Word Processing	
Responses to Dispositive Motions		BR 7007, CvR 7	Party	Court	Yes--Word Processing	
Motion for Entry of Default		BR 7055, CvR 55	Party	Court	Yes--Word Processing	
Motion for Entry of Default Judgment		BR 7055, CvR 55	Party	Court	Yes--Word Processing	
*See <u>Assumptions and Conventions</u> for description of attachments						
Adversary Proceedings -- Notices						
Notice of Voluntary Dismissal by Plaintiff Prior to Responsive Pleading		BR 7041, CvR 41(a)(1)	Party	Court, Parties	Yes--Word Processing	

Elements of the Bankruptcy Case File

Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Hearing Notice			Court or Party	Parties	Yes--Word Processing, BANCAP, NIBS	
Notice to Take Deposition		BR 7030, CvR 30	Party	Party	Yes--Word Processing	
Notice of Challenge to Constitutionality of Statute		BR 7024, CvR 24(c)	Court or Party	U.S. or State Attorney General	Yes--Word Processing	
Notice of Proposed Compromise or Settlement		BR 9019(a)	Clerk or Party	Parties	Yes--Word Processing	
Notice of Entry of Judgment		BR 9022, CvR 58	Clerk or Party	Parties	Yes--Word Processing	
Notice of Appeal		28 U.S.C. § 158; BR 8001(a)	Party	Court, Parties	Yes--Word Processing	
Election to Have Appeal Heard by District Court		28 U.S.C. § 158(c)	Party	Court	Yes--Word Processing	
Notice to Added Party of Right to Consent (or Not) to Bankruptcy Judge Conducting Jury Trial		28 U.S.C. § 157(e)	Clerk	Court	Yes--Word Processing, BANCAP, or NIBS	
Other Notices			Clerk or Party		Yes--Word Processing	
Adversary Proceedings -- Memoranda and Briefs						
Pretrial Memorandum		Local Rules	Party	Court	Yes--Word Processing	
Proposed Jury Instructions		Local Rules	Party	Court	Yes--Word Processing	

Elements of the Bankruptcy Case File

Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Proposed Voir Dire Questions		Local Rules	Party	Court	Yes--Word Processing	
Amicus Brief			Party	Court	Yes--Word Processing	
Memorandum of Law (Points of Authority)		Local Rules	Party	Court	Yes--Word Processing	
Adversary Proceedings -- Non-Dispositive Orders						
Order to Proceed IFP		28 U.S.C. § 1915	Court	Court	Yes--Word Processing	
Order on Intervention		BR 7024, CvR 24	Court or Party	Court	Yes--Word Processing	
Order on Joinder of Parties		BR 7019 - 7022, CvR 19 - 22	Court or Party	Court	Yes--Word Processing	
Order of Reference to Bankr. Judge		28 U.S.C. § 157(a)	District Court Judge	Court	Yes--Word Processing	Signature of District Court Judge
Order of Reference to ADR		BR 9021(c); Local Rules	Court or Party	Court, Parties	Yes--Word Processing	
Discovery Orders		BR 7026 - 7037	Court or Party	Court, Parties	Yes--Word Processing	
Pretrial Instructions		BR 7016, CvR 16	Court	Court, Parties	Yes--Word Processing	
Standing Orders		BR 9029(b)	Court	Court	Yes--Word Processing	
Other Non-Dispositive Orders			Court or Party	Court	Yes--Word Processing	

Elements of the Bankruptcy Case File

Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Adversary Proceedings -- Dispositive Orders and Judgments						
Judgment or Order		28 U.S.C. § 157(b); 11 U.S.C. § 105; BR 9021, CvR 58	Court or Party	Court	Yes--Word Processing	
Summary Judgment		28 U.S.C. § 157(b); BR 7056, CvR 56	Court	Court	Yes--Word Processing	
Judgment in a Jury Trial		28 U.S.C. § 157(e)	Court	Court	Yes-- Word Processing	
Order on Proposed Compromise or Settlement		BR 9019(a)	Court or Party	Court	Yes-- Word Processing	
District Court Judge's Order on Withdrawal of Reference		28 U.S.C. § 157(d); BR 5011	District Court Judge	Court	Yes--Word Processing	Signature of District Court Judge
District Court Judge's Order on Proposed Findings and Conclusions		28 U.S.C. § 157(c); BR 9033	District Court Judge	Court	Yes--Word Processing	Signature of District Court Judge
Circuit, BAP, or District Judge's Order on Appeal		28 U.S.C. § 158	Appellate Judge	Court	Yes-- Word Processing	Signature of Appellate Judge
Entry of Default		BR 7055, CvR 55(a)	Clerk	Court	Yes--Word Processing, BANCAP ? NIBS ?	Signature of Clerk
Default Judgment by Clerk		BR 7055, CvR 55(b)(1)	Clerk	Court	Yes--Word Processing, BANCAP ? NIBS ?	Signature of Clerk

Elements of the Bankruptcy Case File

Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Default Judgment by Court		BR 7055, CvR 55(b)(2)	Court	Court	Yes--Word Processing	
Adversary Proceedings -- Miscellaneous Filed Documents						
Dismissal by Stipulation		BR 7041, CvR 41(a)(1)	Party	Court	Yes--Word Processing	
Certificate of Service		BR 2002, 4001, 6004, 7004, 9013, 9014	Court or Party	Court	Yes--Word Processing, NIBS, BANCAP	
Appearance of Counsel			Party	Court		
Correction or Amendment		BR 7015, CvR 15	Party	Court	Yes--Word Processing	Attorney Signature
Request for Jury Instructions		28 U.S.C. § 157(e); CvR 51	Party	Court	Yes--Word Processing	
Objection to Jury Instructions		28 U.S.C. § 157(e); CvR 51	Party	Court	Yes--Word Processing	
Jury Instructions		28 U.S.C. § 157(e); CvR 51	Court	Court	Yes--Word Processing	
Offer of Judgment		BR 7068, CvR 68	Party	Court	Yes--Word Processing	
Proposed Orders			Party	Court		
Proposed Findings of Fact and Conclusions of Law			Party	Court	Yes--Word Processing	
Proposed Findings of Fact and Conclusions of Law (by Judge)		28 U.S.C. § 157(c)(1); BR 9033	Judge	Court	Yes--Word Processing	

Elements of the Bankruptcy Case File

Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Objection to Proposed Findings and Conclusions		28 U.S.C. § 157(c)(1); BR 9033	Party	Court	Yes--Word Processing	
Response to Objection to Proposed Findings and Conclusions		28 U.S.C. § 157(c)(1); BR 9033	Party	Court	Yes--Word Processing	
Bankruptcy Judge's Findings and Conclusions		28 U.S.C. § 157(c)(1)	Court	Court, Parties	Yes--Word Processing	
Opinions			Court	Court, Parties	Yes--Word Processing	
Request for Transcript		BR 8007(a)	Party	Court, Reporter	Yes--Word Processing	
Designation of Items in Record on appeal		BR 8006	Party	Court	Yes--Word Processing	
Statement of Issues to Be Presented on Appeal		BR 8006	Party	Court	Yes--Word Processing	
Completion and Transmission of Record on Appeal		BR 9007(b)	Clerk	Court	Yes--BANCAP, NIBS	Docket Entry Only
Proceeding Memo (Courtroom Minutes)			Court	Court	Maybe--Word Processing	
Status Report		BR 7016, CvR 16	Party	Court	Yes--Word Processing	
Bill of Costs		28 U.S.C. § 1920; BR 7054, CvR 54	Party	Court	Yes--Word Processing	Attorney Signature Under Penalty of Perjury; May Have Attachments

Elements of the Bankruptcy Case File

Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Subpoena		BR 9021, CvR 45	Party	Court, Parties	Yes--Word Processing	
Proof of Service of Subpoena		BR 9021, CvR 45	Party	Court	Yes--Word Processing	Process Server Signature
Discovery Materials		CvR 26	Party	Parties, Court		Often Not Filed
Exhibits		BR 9017, Evidence Rules	Party	Court	Possibly Some	May Be Retained by Party; Filed Only if Entered into Evidence; May Not Be Submitted
Transcripts		28 U.S.C. § 753(b); BR 5007(a), 8007	Court Reporter	Court	Yes--Word Processing	Filed Only if Transcript Ordered by Party or Judge
Report from ADR Facilitator		Local Rules	Facilitator	Court	Yes--Word Processing	May Be Confidential
Certification of Judgment for Registration in Another District		28 U.S.C. § 1963; BR 5003(c), 5006	Clerk	Court	Yes--BANCAP ? NIBS ?	Clerk Signature
Writ of Execution		BR 7069, CvR 69	Court	U.S. Marshal; Party	Yes--BANCAP ? NIBS ?	Clerk Signature
Other Writs		28 U.S.C. § 1651	Court	Party	?	Clerk Signature
Adversary Proceedings -- "Linked" Items						
Exhibit Tracking (Proffer, Admitted, Denied)			Court	Court	?	

Elements of the Bankruptcy Case File

Description of Document or Item	Proceeding	Statute or Rule	Creator	Recipient	Current Electronic Availability/Nature of Information	Special Considerations (Signatures, Access Limits, Archiving, etc.)
Final Exhibit List			Parties	Court	Yes--If Word Processing	
Final Witness List			Parties	Court	Yes--If Word Processing	
Court Reporter Notes		28 U.S.C. § 753; BR 5007(a)	Court Reporter	Court	Yes--If Realtime or Word Processing Macro	Filed and Archived Separately from Case File
ECRO Tapes		BR 5007(a)	ECRO	Court	Audio Tape	Filed and Archived Separately from Case File
Correspondence			Party	Court	No	May Not Be Filed
Law Clerk Memoranda			Law Clerk	Court	Yes-- Word Processing ?	Private Document
Notes to Case File			Court	Court	Yes--Word Processing ?	Private Document
In Camera Document			Party	Court	Probably Not	May Not be Filed
Sealed Document		11 U.S.C. § 107	Party	Court	Yes--Word Processing (Must Be Transmitted Confidentially)	Sealed
Documents Related to Juror Selection		28 U.S.C. § 1866	Court	Court	?	
Certificate of Juror Attendance		28 U.S.C. § 1871	Court	Court	?	
Jury Verdict		28 U.S.C. § 157(e)	Jury	Court	No	Jury Foreman's Signature